

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION**

REX GUNTHER,

Plaintiff,

v.

DAVID SCHMITT,

Defendant.

No. 4:17CV172 RLW

MEMORANDUM AND ORDER

This matter is before the Court on review of plaintiff's pro se complaint. The complaint is defective because it has not been drafted on a Court-provided form. *See* Local Rule 2.06(A). Moreover, plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis along with a financial affidavit. *See* 28 U.S.C. § 1915(a).

Accordingly,

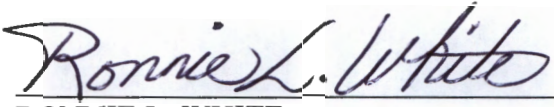
IT IS HEREBY ORDERED that the Clerk is directed to mail to plaintiff a copy of the Court's form Civil Complaint and a copy of the Court's form Motion to Proceed In Forma Pauperis – Non Prisoner along with a CJA 23 financial affidavit.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint on the Court-provided form within thirty (30) days of the date of this Order. Plaintiff is advised that his amended complaint will take the place of his original complaint and will be the only pleading that this Court will review.

IT IS FURTHER ORDERED that plaintiff shall either pay the \$400 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 17th day of January, 2017.

A handwritten signature in blue ink, reading "Ronnie L. White", is written over a horizontal line.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE